

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BLUEFIELD DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 1:09-cr-00270

THOMAS CREIGHTON SHRADER,

Defendant.

**ORDER**

From July 13, 2010 to July 14, 2010, the Court held a jury trial in this matter. The jury returned the verdicts which are **ORDERED** filed.

Based on the jury's verdict, the Court **ADJUDGES** the Defendant, Thomas Creighton Shrader, **GUILTY**, and he now stands convicted of being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(a)(2), as charged in Count Three of the Second Superseding Indictment.

Pursuant to U.S.S.G. § 6A1 et seq., and subject to any post-trial motions, it is hereby **ORDERED** as follows:

1) The Court **ORDERS** that the Probation Office prepare and forward a draft presentence report to the United States and counsel for the Defendant no later than **October 4, 2010**; that the United States Attorney and counsel for the Defendant file objections to the draft presentence report no later than **October 19, 2010**; that the Probation Office submit a final presentence report

to the Court no later than **November 2, 2010**; and that the United States and counsel for the Defendant file a sentencing memorandum no later than **November 9, 2010**.


2) Pursuant to United States v. Booker, 543 U.S. 220 (2005) and United States v. Hughes, 401 F.3d 540 (4th Cir. 2005), the Government and the Defendant are hereby **ORDERED** to file a Sentencing Memorandum addressing the sentencing factors set forth in 18 U.S.C. § 3553(a) as may pertain to this case. The Sentencing Memorandum may also address such other matters not previously addressed in the form of motions or objections to the Presentence Report and may include argument as to the appropriate sentence to be imposed. Sentencing Memoranda shall be no more than fifteen (15) pages in length.

3) The Court **SCHEDULES** final disposition of this matter for **November 18, 2010, at 10:00 a.m., in BECKLEY, West Virginia**.

The Court **ORDERS** the Defendant detained pending sentencing. The Court **DIRECTS** that the Defendant be committed to the custody of the United States Marshal for confinement. The Court further **DIRECTS** that the Defendant be afforded reasonable opportunity for private consultation with counsel. Finally, the Court **DIRECTS** that, on order of a Court of the United States or on request of an attorney for the United States, the person in charge of the correction facility in which the Defendant is confined deliver the Defendant for the purpose of an appearance in connection with court proceedings.

The Court **DIRECTS** the Clerk to send a copy of this Order to the Defendant and counsel, to the United States Attorney, to the United States Probation Office, and to the United States Marshal.

ENTER: July 15, 2010

  
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IRENE C. BERGER, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA